

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

MAZEN ABU-HATAB, M.D.,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 3:06-CV-436
)	Mag. Judge Guyton
BLOUNT MEMORIAL HOSPITAL, INC.,)	
NASEEM H. SIDDIQI, M.D., and)	
EXTRACORPOREAL TECHNOLOGIES, INC.,)	
)	
Defendants.)	

AGREED ORDER FOR THE CLERK OF THE DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE TO
RELEASE ESCROW FUNDS

NOW COME the Plaintiff, Mazen Abu-Hatab, M.D. ("Plaintiff") and the Defendants, Naseem Siddiqi, M.D. and Extracorporeal Technologies, Inc. (the "Siddiqi Defendants" or "Defendants") (collectively the "Parties"), by their respective counsel, and having reached a Settlement Agreement resolving all matters before this Court and before the U.S. Sixth Circuit Court of Appeals, CA No. (consolidated) 09-6094/09-6550, state as follows:

Whereas the Parties agree:

1. The Plaintiff filed an action in the United States District Court, Eastern District of Tennessee (hereinafter the "District Court") (No. 3:06-CV-436) against various defendants, including the Siddiqi Defendants, alleging statutory, constitutional, and common law wrongs related to the termination of his privileges to practice medicine at Blount Memorial Hospital.
2. On April 2, 2009, the District Court granted the Defendants summary judgment.
3. On August 12, 2009, the District Court ordered that the Plaintiff pay the Defendants an award of attorney fees, which the District Court later set at \$280,530.00.
4. The Plaintiff appealed the award of attorney fees and the amount of attorney fees to the United States Court of Appeals (hereinafter the "Court of Appeals").
5. In lieu of a bond, by agreed order signed March 10, 2011, the Plaintiff agreed to pay \$280,530.00 to the Clerk of the District Court (hereinafter the "Clerk") for deposit in a federally-insured, interest-bearing bank account, where the money has remained pending the appeal.

6. The case pending before the Court of Appeals has been settled and dismissed pursuant to the Stipulation of the Parties and by Order of the Court of Appeals issued July 18, 2011 (Docket Number: 140) attached as Exhibit A.
7. The Plaintiff and Defendants wish to resolve the underlying District Court case and any and all disputes, complaints, grievances, charges, action, petitions, and demands between them including those related thereto, pursuant to the Settlement Agreement.

NOW, THEREFORE, pursuant to the Settlement Agreement dated July 14, 2011 made between the Parties, Exhibit B hereto but filed under seal due to its Confidentiality terms, the Court orders as follows:

1. The Clerk of the District Court shall distribute to the Defendants the amount as set forth in Exhibit B (the "Settlement Amount") by way of a check made payable to "Drinker, Biddle & Reath (Tax I.D. No. 23-1423089), Naseem Siddiqi, M.D. (Tax I.D. No. ____ - ____ 5505) and Extracorporeal Technologies, Inc." (Tax I.D. No. ____ - ____ - 5687). The Clerk's check shall be mailed to Warren Baker at Drinker Biddle & Reath LLP, 191 N. Wacker Drive, Suite 3700, Chicago, IL 60606-1698.
2. After payment from the account of the Settlement Amount to the Siddiqi Defendants as set forth in the preceding paragraph, the remainder of the moneys deposited in the account shall be paid by the Clerk of the District Court by way of a check made payable to Mazen Abu-Hatab, M.D. (Tax I.D. No. ____ - ____ - 6334), and mail the check to Chris J. Tardio, Gideon, Cooper & Essary, PLLC, 1100 Noel Place, 200 Fourth Ave., North, Nashville, TN 37219-2144. Thereafter the account shall be closed.
3. With the disbursements by the Clerk of this District Court as set forth above, all outstanding issues in the District Court between the parties are hereby resolved and the District Court case is concluded and dismissed with prejudice and without costs.

Dated: July, 2011.

August 4, 2011


MAGISTRATE JUDGE GUYTON

Submitted for entry,

MAZEN ABU-HATAB, M.D.

By:



Chris J. Tardio, Esq.

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NASEEM H. SIDDIQI, M.D. AND
EXTRACORPOREAL TECHNOLOGIES, INC.

By:


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